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PACIFIC  TELESIS
Group-Washington

July 17, 1995

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

William F. Caton
Acting Secretary
Federal Communications Commission
Mail Stop 1170
1919 M Street, N.W., Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

Re: *RM 8658 - Section 68.4(a) of the Commission's Rules Hearing Aid-Compatible
Telephones*

On behalf of Pacific Bell Mobile Services, please find enclosed an original and six copies
of its "Comments" in the above proceeding.

Please stamp and return the provided copy to confirm your receipt. Please contact me
should you have any questions or require additional information concerning this matter.

Sincerely,


Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Section 68.4(a) of the Commission's Rules)
Hearing Aid-Compatible Telephones)
_____)

RM 8658

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COMMENTS OF PACIFIC BELL MOBILE SERVICES

Pacific Bell Mobile Services hereby comments on the Petition for Rule Making filed by HEAR-IT NOW. HEAR-IT NOW seeks an amendment to Section 68.4(a) of the Commission's Rules to specify that broadband PCS devices capable of voice transmission or reception must be hearing aid-compatible.

HEAR IT NOW is actually asking for the Commission to remove the current exemption that applies to telephones used with public mobile services. The Commission can do so if:

- 1) such revocation or limitation is in the public interest;
- 2) continuation of the exemption without such revocation or limitation would have an adverse effect on hearing-impaired individuals;
- 3) compliance with the requirements of section 68.4(a)(1) is technologically feasible for the telephones to which the exemption applies; and
- 4) compliance with the requirements of section 68.4 would not increase costs to such an extent that the telephones to which the exemption applies could not be successfully marketed.¹

Since we are not a manufacturer of telecommunications equipment, we have no ability to solve the issue of hearing aid compatibility directly. However, as a licensed provider of PCS service, we are very concerned about the issue. We are in touch with our manufacturers as

¹ 47 CFR §68.4(a)(4).

well as the hearing-impaired community. We are anxious to have hearing-impaired individuals be able to take advantage of PCS technology.

However, we believe that a rulemaking is premature.

The basis for HEAR IT NOW's petition is some studies done in Europe relating to interference and hearing aid compatibility of the Global System for Mobile Communications ("GSM"). According to HEAR IT NOW, these studies "demonstrate, operation of a GSM device by a hearing aid wearer, in virtually all instances, created significant interference to the hearing aid, causing discomfort to the wearer and temporarily disabling the hearing aid."²

HEAR IT NOW fails to make clear that in the United States PCS will be operating at different frequencies and at lower power than in Europe. Consequently, the studies have little, if any, relevance to the provision of PCS in the United States.

The Cellular Telecommunications Industry Association ("CTIA") is supporting a study of wireless interference with hearing aids and handset compatibility with hearing aids. This study will be conducted by the Center for the Study of Wireless Electromagnetic Compatibility at the University of Oklahoma. In the next one to two weeks, the design of the study will be finalized. It is expected that study will take approximately 6 months to complete.

TDMA at 900 MHz, CMDA at 1900 MHz and GSM at 1900 MHz are planned to be included in the study. While HEAR IT NOW appears to suggest that wireless interference with hearing aids is only a problem for GSM devices, there is no reason to expect that other digital technologies are immune from any interference or compatibility problems.

We are in touch with various groups that represent the interests of the hearing impaired and are putting them in touch with the Center so that they can have input into the design of the study and receive results as soon as they become available. We are also committed to supporting any industry-wide forums on the issue of PCS handsets and hearing aid compatibility.

However, before any regulatory action is taken on this issue, it is important to have relevant data on hand regarding the extent of the problem and what the solutions would entail in

² Petition, p. 4.

terms of technical difficulty, time and cost. Realistically, the Commission cannot evaluate the four factors it must consider before revoking the current exemption without such information.

For this reason, we urge the Commission to delay initiating the rulemaking requested until the Center for the Study of Wireless Electromagnetic Compatibility has completed its work and the manufacturers and the community of hearing aid wearers have an opportunity to review the findings. At that point, the Commission will be a position to evaluate whether a serious problem exists and what is the appropriate response to any problems that have been uncovered.

Respectfully submitted,

PACIFIC BELL MOBILE SERVICES



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Its Attorneys

Date: July 17, 1995

CERTIFICATE OF SERVICE

I, Una Curran, do hereby certify that a copy of the foregoing Comments of Pacific Bell Mobile Services was mailed this 17th day of July, 1995, via first class United States mail, postage prepaid to the party listed below.

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